

TELEPHONE CONSUMER PROTECTION ACT (TCPA), DO NOT CALL (DNC) & SMS PRIVACY POLICY

Effective Date: June 2, 2026

Supersedes: Western States Equipment Company TCPA & DNC Policy (2024)

1. PURPOSE

The purpose of this Policy is to ensure Western States Equipment Company's compliance with the Telephone Consumer Protection Act (TCPA), federal and state Do Not Call (DNC) laws, and mobile carrier requirements applicable to SMS and text messaging, including but not limited to short-code programs.

This Policy establishes uniform standards for obtaining consent, honoring opt-out requests, maintaining records, and reducing legal and regulatory risk associated with telemarketing and text message communications.

2. SCOPE

This Policy applies to all employees, agents, contractors, vendors, and affiliates of Western States Equipment Company who engage in or support outbound or inbound communications with customers or prospects using:

- Live voice telephone calls
- Prerecorded or artificial voice messages
- Calls or texts sent using an automatic telephone dialing system (ATDS)
- SMS or MMS text messages (marketing or informational)

Text messaging is treated as a separate and distinct communications channel subject to additional legal and carrier-mandated requirements.

3. GENERAL TCPA CONSENT REQUIREMENTS

3.1. Prior Express Written Consent

As a general rule, Western States Equipment Company will obtain prior express written consent before making telemarketing calls or sending marketing text messages.

Valid consent must:

- Be clear and conspicuous
 - Be affirmatively provided by the consumer
 - Not be a condition of purchasing goods or services
 - Be documented and capable of audit, whereby Western States Equipment Company is authorized to send messages to the consumer at the specified telephone number (one-to-one consent)
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4. PRIOR BUSINESS RELATIONSHIP (PBR) EXCEPTION

4.1. Overview

Western States Equipment Company may rely on the Prior Business Relationship (PBR) exception to the TCPA to place certain marketing calls or send marketing text messages without prior express written consent, provided all applicable conditions are satisfied.

An established business relationship exists when a consumer has:

- Made a purchase, rental, or lease from Western States Equipment Company within the previous 18 months, or
- Made an inquiry or application within the previous 3 months

The relationship must arise from voluntary, two-way communication between the consumer and Western States Equipment Company.

4.2. Duration and Termination

- Marketing communications may occur for up to 18 months following the consumer's last purchase, delivery, or payment.
- A consumer's specific do-not-call request immediately terminates the PBR for telemarketing purposes, even if the consumer continues to do business with Western States Equipment Company.

4.3. Limitations of the PBR Exception

- The PBR exception does not apply if the consumer is listed on:
 - Western States Equipment Company Internal Do Not Call List, or
 - The National Do Not Call Registry
- Consumers may revoke consent or opt out at any time.
- The PBR exception generally cannot be relied upon for purchased or third-party lead lists.
- The PBR exception shall not be relied upon for SMS or text message communications. Western States Equipment Company will obtain prior express written consent for all SMS and text message marketing, without exception.

5. DO NOT CALL (DNC) COMPLIANCE

5.1. National Do Not Call Registry

Western States Equipment Company scrubs calling and texting lists against the National Do Not Call Registry at least every 31 days, as required by law.

5.2. Internal Do Not Call List

Consumers may request to be placed on Western States Equipment Company's Internal Do Not Call List at any time. Such requests are honored promptly and permanently unless revoked by the consumer.

6. SMS & TEXT MESSAGING COMPLIANCE

6.1. SMS-Specific Consent

SMS marketing messages are sent only to individuals who have provided:

- **Verbal Consent:** You can verbally consent by clearly agreeing to SMS participation after we provide you with our SMS Policy and these SMS Terms and Conditions. All verbal consent must be documented contemporaneously through call recording, CRM notation with timestamp, or a written confirmation sent to the consumer within 24 hours.
- **Web Form:** You can provide consent by checking a clearly labeled checkbox explicitly stating that you agree to enroll in our SMS program.

In-Person Paper Form: For in-person transactions, you will be presented with a paper form that includes a dedicated section seeking your consent to receive SMS messages. The signed form will be retained as proof of consent.

- **Prior Business Relationships:** Communications permitted under a valid Prior Business Relationship, where applicable, or

Consent must be specific to the SMS short code used. Consent obtained for one program may not be reused for another. By opting in, you consent to receive messages only from Western States Equipment Company. Your consent is not transferable to third parties or affiliates without your direct approval.

6.2. Opt-In Disclosure Standards

All SMS opt-in mechanisms must clearly disclose:

- The identity of the sender
- The specific SMS short code
- That message frequency varies. The maximum number of messages the consumer may receive per month (not to exceed 30 messages per month, excluding urgent service or safety notifications)
- That message and data rates may apply
- That consent is not required as a condition of purchase
- How to opt out (STOP)
- How to obtain assistance (HELP)

Opt-in disclosures must be displayed immediately adjacent to the opt-in control and may not be hidden in fine print or separate disclosures. Text messages, including marketing messages, will only be sent between the hours of 8:00 a.m. and 9:00 p.m. in the recipient's local time zone.

6.3. Opt-Out and Revocation

Consumers may revoke consent or opt out of SMS messages at any time by any reasonable means, including: Replying with any of the following keywords: STOP, QUIT, END, CANCEL, or UNSUBSCRIBE, emailing marketing@wseco.com, calling (800) 852-2287, or sending a written request to 500 E Overland Rd, Meridian, ID 83642, Attn: Marketing Dept. Verbal request made in person or by phone.

Upon receipt of an opt-out request:

- Western States Equipment Company will honor the request within ten (10) business days. One (1) confirmation message may be sent within five (5) minutes of the opt-out request. This confirmation message will contain no marketing or promotional content.
- No further SMS messages will be delivered unless the consumer affirmatively re-opts in through a valid consent mechanism described in Section 6.1. An opt-out received in response to an informational message will terminate all messages (marketing and informational). An opt-out received in response to a marketing message will terminate marketing messages only.

6.3.1. Cross-Channel Revocation. An opt-out request received through any Western States Equipment Company communication channel (SMS, email, phone, or in person) applies across all automated calling and texting channels operated by or on behalf of Western States Equipment Company. Internal systems must be updated to reflect cross-channel revocation within the same ten (10) business day processing window.

6.4. Privacy and Data Use

Western States Equipment Company does not sell, rent, or share SMS opt-in data.

Sharing excludes text messaging originator opt-in data and consent; this information will not be shared with any third parties. Western States Equipment Company may share consumer data (excluding opt-in consent records) with service providers who assist in delivering SMS messages, provided such service providers are bound by written confidentiality obligations and are prohibited from using the data for any purpose other than message delivery on behalf of Western States Equipment Company.

This statement is published on the Western States Equipment Company live Privacy Policy.

6.5. Age Restriction

The Western States Equipment SMS program is not intended for individuals under the age of 18. By opting in to receive SMS messages, consumers confirm they are at least 18 years of age. Individuals under 18 must have verifiable parental or legal guardian consent to participate.

7. ELECTRONIC CONSENT (E-SIGN ACT)

Western States Equipment Company may collect prior express written consent using electronic signatures in compliance with the Electronic Signatures in Global and National Commerce Act (E-SIGN Act).

Electronic consent is valid when:

- The parties agree to conduct the transaction electronically
- The consumer intends to sign
- A visible action or statement indicates consent
- The signature is attributable to the consumer
- Records are retained and reproducible

7.1. Sample SMS Consent Language

By opting in to this service, you consent to receive personalized marketing communications from **WSECAT** regarding Cat® equipment, parts, and service offerings, and provide your electronic signature under the E-SIGN Act. Opt-in by texting “**I AGREE.**”

Message frequency varies. Message and data rates may apply.

Consent to receive marketing text messages is not required as a condition of purchasing any goods or services and may be revoked at any time.

By signing up, you confirm you are at least 18 years of age.

STOP Information: Text STOP to stop receiving messages from **WSECAT**.

Mobile carriers are not liable for delayed or undelivered messages.

We take your privacy seriously. Please visit www.westernstatescat.com/privacy-policy/ to review our privacy policy.

8. CARRIER REGISTRATION AND 10DLC COMPLIANCE

Western States Equipment Company maintains current registration with The Campaign Registry (TCR) for all 10-Digit Long Code (10DLC) messaging campaigns, as required by major mobile carriers (AT&T, T-Mobile, Verizon). Campaign registrations include accurate brand information, use-case descriptions, sample messages, and links to the Company's published Privacy Policy and SMS Terms. The Marketing Department is responsible for ensuring registrations remain current and that all A2P messaging traffic is sent only through registered campaigns.

9. RECORD RETENTION

Western States Equipment Company retains the following records for a minimum of five (5) years: (i) Consent records, including the method of opt-in, timestamp, telephone number, and the specific program or short code to which consent was granted; (ii) Opt-out records, including the method, timestamp, and channel through which the opt-out was received; (iii) Internal Do Not Call List entries; (iv) National DNC Registry scrub logs and dates; and (v) SMS message logs sufficient to demonstrate compliance with frequency limits and quiet hours.

Records must be retrievable within a reasonable time for audit, regulatory inquiry, or litigation purposes.

10. STATE LAW COMPLIANCE

Western States Equipment Company will comply with state telemarketing and text messaging laws that impose requirements stricter than federal TCPA standards. The Marketing and Legal departments will monitor legislative developments in all states where Western States Equipment Company conducts business and shall update this Policy as needed.

11. ACCESSIBILITY

This Policy is available in alternative formats upon request. Please contact marketing@wseco.com or call (800) 852-2287 for assistance.

12. CHANGES TO THIS POLICY

Western States Equipment Company may update this Policy as laws, regulations, or carrier requirements evolve. Material changes will be communicated via SMS to active subscribers or posted on the Company's website. Continued participation in the SMS program after notice of changes constitutes acceptance of the updated Policy.

13. CONTACT INFORMATION

For questions about this Policy, to update messaging preferences, or to submit a Do Not Call request: Email: marketing@wseco.com; Phone: (800) 852-2287; Mail: 500 E Overland Rd, Meridian, ID 83642, Attn: Marketing Dept. Website: www.westernstatescat.com/privacy-policy/
